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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 LIBRADO CLEMENA,) CASE NO. CV 12-8906-AG (PJW)
11)
12 Petitioner,) ORDER ACCEPTING REPORT AND
13) ADOPTING FINDINGS, CONCLUSIONS,
14 v.) AND RECOMMENDATIONS OF UNITED
15) STATES MAGISTRATE JUDGE, AND
16 M. BITER, KERN VALLEY STATE) DENYING CERTIFICATE OF
17 PRISON WARDEN,) APPEALABILITY
18)
19 Respondent.)
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17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition,
18 the records on file, and the Report and Recommendation of United
19 States Magistrate Judge. No objections to the Report and
20 Recommendation have been filed. The Court accepts the Magistrate
21 Judge's Report and adopts it as its own findings and conclusions.

22 Further, for the reasons stated in the Report and Recommendation,
23 the Court finds that Petitioner has not made a substantial showing of
24 the denial of a constitutional right and, therefore, a certificate of
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1 appealability is denied. See 28 U.S.C. § 2253(c)(2); Fed. R. App. P.
2 22(b); *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003).

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4 DATED: September 30, 2015.

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8 ANDREW J. GUILFORD
9 UNITED STATES DISTRICT JUDGE
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